

**Docket No:** 07-0434  
**Bench Date:** 06/24/09  
**Deadline:** N/A

**M E M O R A N D U M**

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**TO:** The Commission

**FROM:** Glennon P. Dolan, Administrative Law Judge

**DATE:** June 17, 2009

**SUBJECT:** R. H. Donnelley

Petition for Variance of Section 735.180 of the Illinois Administrative Code.

**RECOMMENDATION:** Grant Petition to Reopen the Docket to Modify the Order and Request for Expedited Relief

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On June 15, 2009, R.H. Donnelley filed a Petition with the Illinois Commerce Commission, requesting that the docket be reopened for the purpose of modifying the October 24, 2007 Commission Order.

R. H. Donnelley seeks to modify the Order pursuant to Section 200.900. 83 Ill. Adm. Code § 200.900. Section 200.900 authorizes the Commission to reopen a proceeding, on its own motion, when it has reason to believe that conditions of fact or law have changed as to require, or that the public interest requires, such reopening.

R.H. Donnelley is requesting the Commission modify the requirement that they place loose leaf notification inserts in the Chicago Consumer Yellow Pages and the Neighborhood Directories. The Company proposes to notify customers of the availability of the city-wide White Pages by printing a second, substantial notification within the table of contents of the Chicago Consumer Yellow Pages, Neighborhood Directories and the Chicago Consumer Plus directories. Due to the lead time required for the production of the 2010 directories, R.H. Donnelley also requested that the Commission grant the petition expedited treatment and render a final order by July 8, 2009.

It appears that the additional printed notification contained within the directories will provide more effective notice to the customers than the loose leaf attachment.

Accordingly, I recommend that R.H. Donnelley's Petition be granted.

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